UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,667	05/23/2001	Chandrasekar Venkatraman	10960787-09	3369

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EXAMINER
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ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/863,667	VENKATRAMAN ET AL.
	Examiner	Art Unit
	Robert B. Harrell	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 April 2005_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _33-156_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _33-156_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _23 May 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _20050425_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☒ Other: *see attached Office Action.*

1. Claims 33-156 are presented for examination.

2. Relevance of United States patent 6,818,754 (Boyle) is not clearly ascertained by examiner as this Patent is directed to DNA; but has been considered nonetheless.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

4. Due to the Terminal Disclaimers of record (including the one most recently filed on 25 April 2005), the applicant is required to include all those Patent and Applications so mentioned in the Terminal Disclaimers, as related, within the first page(s) of the textual portion of the Specification by their corresponding identification number and to indicate, therein, the current status of the related applications (i.e., Still Pending, Now Abandoned, Now United States Patent X,XXX,XXX).

5. The applicant should use this period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks ™, and other legal symbols ®, where required, and clarity of meaning in the Specification, Drawings, and specifically the claims (i.e., provide proper antecedent basis for "the" and "said" within each claim (i.e., " the first URL" in the claims as but only one example). Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.

6. Use of active hyperlink and/or other forms of browser executable code is improper (see MPEP 608.01) and must be removed (see page 18 as one example, all others must also be removed). The reason being many OCR softwares will automatically associate (convert) such as an active (clickable) URL. Also, due to the dynamic nature of such links, they tend to become disabled rather then not in a relatively short time compared to the life of a Patent. More so, HTML code, per MPEP 608.01, is not permitted within the textual portions of this application.

7. The following is a quotation of the first paragraph of 35 U.S.C 112:

    The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. The specification is objected to under 35 U.S.C 112, first paragraph, as failing to adequately teach how to make and/or use the invention, i.e. failing to provide an enabling disclosure for the reasons indicated infra. This is an enabling objection, not a written description objection.

9. Claims 33-156 are rejected under 35 U.S.C. 112, first paragraph, for the reasons set forth in the objection to the specification.

10. The grounds for objecting to specification as presented in examiner's prior action continue and are hereby incorporated in this Office Action by reference including thereto with the additional remarks indicated herein.

11. The applicant argued the objection, and rejection, each under 35 U.S.C. 112, first paragraph, by stating in substance that showing source code or hardware allowing one to control a device remotely is not required to comply with 35 U.S.C. 112, first paragraph, and that the specification must "enable any person skilled in the art" to make and use the invention. The applicants respectfully contend that "one of ordinary skill in the art" would certainly be able to practice the present claimed invention without undue experimentation based on the present specification and without an explicit recitation of source code or hardware allowing for controlling a device remotely. That is, the applicants respectfully submit that the ability to control a device remotely is well within the ability of one of ordinary skill in the art and provides two Patents as examples. However, in general, these arguments are held as self-serving without the recital of Legal Authority or Precedence. The specification fails to recite the claimed "enabled control function" of a machine/device as recited in the claims. It is the claimed "control function" that is void within this application and yet claimed. Nothing is shown that enables control from a digital domain to an analog domain native to the specific claimed machine/device. With respect to the two United States Patents, examiner cannot make comment with respect to the two United States Patents and assumes them to be fully enabled per the Law. As is noted, each United States Patents, therein, have flowcharts and corresponding text showing their enabling control functions of their inventions which could be reduced to the appropriate source/machine code. This objection, and rejection, can be overcome by a sworn statement of one, or more, persons skilled in the art demonstration that the disclosure as originally filed provides the required information to enable the invention as claimed. Such a statement would then be made of record.

12. Also, the claims recite, in part, determining a second URL corresponding with the web browser and transferring the web page to the second URL from the specific claimed device over a second communication path so that the web browser can render the web page. However, there is no teaching, or remote showing, of a URL, or second URL, associated with a browser other than an IP address of the client machine. And thus the specification is so objected and **_claims 33-156 are rejected_** for lacking enablement of an associated second URL to/for a web browser.

13. The following is a quotation of the second paragraph of 35 U.S.C 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claims 33-156 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The scope of meaning of the following claim language is not clear:

a) "the first URL"-all independent claims in line 8.

15. As to 14 (a) above, these are but a few examples of numerous cases where clear antecedent basis are lacking and not an exhausting recital. Any other term(s) or phrase(s) over looked by examiner and not listed above which start with either "the" or "said" and do not have a single proper antecedent basis also is indefinite for the reasons outlined in this paragraph. Also, these are but a few examples where term(s) or phrase(s) are introduced more than once without adequate use of either "the" or "said" for the subsequent use of the term(s) or phrase(s). Moreover, multiple introduction of a term, or changes in tense, results in a lack of clear antecedent basis for term(s) or phrase(s) which relied upon the introduced term. Failure to correct all existing cases where clear antecedent basis are lacking can be viewed as non-responsive. Nonetheless, should a response yield all claims allowable short *a few* cases where clear antecedent basis are lacking within the claims, a preemptive authorization to enter an examiner's amendment to the record to correct such would accelerate a notice of allowance over a final rejection. Such could be added at the end of an applicant's response with the following statement: "Examiner is hereby authorized, without the need of further contact by examiner, to enter an Examiner's Amendment to correct any cases where antecedent basis are lacking." if the applicant so elects. This does not diminish the applicant's requirement to correct all such cases not so listed in the example few given above nor prohibit any amendments after a notice of allowance by the applicant.

16. Also, the claims recite, in part, determining a second URL corresponding with the web browser and transferring the web page to the second URL from the specific claimed device over a second communication path so that the web browser can render the web page. However, there is no teaching, or remote showing, of a URL associated with a web browser other than an IP address of the client machine. Thus it cannot be clearly ascertained if "URL" makes reference to an IP addressed associated with the web browser or, as an example and not limiting the claims hereto, a URL such as http://www.some-browser.com. Examiner assumes an IP address associated with the Browser. In which case, "the first URL" of the specific claimed device lacks a numerical flow up; is there a second URL (not as so indicated herein). Also, it cannot be clearly ascertained if the browser has a first URL.

17. In view of the Declarations, filed under 37 C.F.R. 1.31, all prior art rejections are removed and thus applicant's arguments to such are held moot in view of the following New Grounds of Rejections. However, page 23 of the applicant's response states that Joao is a U.S. Patent issued from a patent application filed on June 29, 1999. Such was the Patenting date not filing date which was July 18, 1996.

18. To the extent examiner can read the provided Lab Notes, the Declaration of Jeffrey A. Morgan does not overcome the Wolff (United States Patent US 6,209,048 B1) because:

a) the inventive entity, of this application, is by two persons including Chandrasekar Venkatraman and Jeffrey A. Morgan, not one;

b)   the declaration singed by both inventors conflict with the declaration signed only by one inventor Jeffery A. Morgan, to overcome Wolff, in that the declaration signed by both inventors provides evidence, dated 2 May 1996 (marked as Exhibit 3), indicating the claimed invention was built in April of 1996 not February of 1996; thus, the Jeffrey A. Morgan declaration conflicts with at least Exhibit 3 "Web Page in Every Device"; and,

c)   Jeffrey A. Morgan Lab Note's fail to show, or suggest, the claimed elements (i.e., but not limited to "enable control functions", vcr, television, the web server itself was embedded in the claimed device(s), in part) but rather conventional Web Server functions,. having conventional web pages that contained embedded tags within the web page, in a conventional NT/Windows 95 ®© based Web Server computer in OLE for OLG 2.0 at the time of the Lab Notes. Specifically, the Lab Notes teach the invention was not conceived prior to Wolff who filed with the United States Office no later than 9 February 1996. For example, there is no copier, vcr, exc... with an embedded Web Server in the device nor a hint of any of the claimed device(s) as in Exhibit 2 of the declaration signed by Venkatraman "Web Page In Every Device".

19. Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on http://portal.uspto.gov/external/ portal/pair)), this Office action will usually refer an applicant's attention to relevant and helpful elements, figures, and/or text upon which the Office action relies to support the position taken. Thus, the following citations are neither all-inclusive nor all-exclusive in nature *as the whole of each reference is/are cited* and relied upon in this action as part of the substantial evidence of record. Also, no temporal order was claimed for the acts and/or functions.

20. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

   A person shall be entitled to a patent unless -

(e) the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language;

21. Claims 33-156 are rejected under 35 U.S.C. 102 (e) as being anticipated by Huntsman (United States Patent 5,801,689).

22. Per claim 33, Huntsman taught a method for providing a web page interface for a device that was a copier (i.e., general computers of the type covered in figure 3 and col. 1 (line 26-et seq.) had connected there to printers and scanners thus in combination once scanned a printed a copier in the broadest reasonable interpretation), comprising;

a) receiving an HTTP (e.., see col. 6 (line 24)) command sent from a web browser (e.g., see figure 3 ((27) and/or figure 4 (27)) via a first communication path (i.e., HTTP GET command from Browser to port 80 was along a first communication path), through a network (i.e., Internet as covered in figure 4 (31) and figure 3 (31)) interface in the copier (i.e., the first "controlled" computer);

b) recognizing a first URL contained in the HTTP command as corresponding with the copier e.g., see col. 8 (line 1));

c) generating, with a web server embedded in the copier, a web page that enables control functions for the copier to be initiated from the web browser (e.g., see figure 9 and/or figure 10);

d) determining a second URL (examiner assumes IP address associated with or) corresponding with the web browser (e.g., see col. 9 (line 12-et seq.)); and,

e) transferring the web page to the second URL (examiner assumes browser IP address) from the copier via a second communication path (i.e., the web page from the copier was so sent over a path different then that to set up a link with the GET command since Web Protocol was not a "persistent connection" also the Internet was a "packet switch" network not a "circuit switch" network and thus data packets to/fro seldom followed the same path) so that the web page can be rendered by the web browser (e.g., see col. 9 (line 12-et seq.)).

23. Per claims 34-62, in a clustered lump sum, it was suggestive (in order for the applied reference to work), the web page of figure 9 and/or figure 10 would have defined control buttons (i.e., simulated the real knobs and buttons on the face of the device) that enabled the control function of the first "controlled" computer having therewith a scanner and printer to permit for copier functions, where the HTTP commands of col. 6 (line 24) were used to obtain information from the copier, such as toner/ink/paper levels (i.e., the normal output indictors (LEDS/sounds/exc..) of the copier was simulated in the returned page) and other such status information from the copier for information transfer to/from the copier so as to control the functions of the copier functions such as operating states via a control/monitor path. As indicated in col. 9 (line 12-et seq.), the web page of figure 9 and/or figure 10 was transferred to the web browser of figure 3 (27) and/or figure 4 (27) using HTTP which needed periodical updating of information for the web page to correspond to current copier status (i.e., toner/paper/on-line/off-line/exc.. level) on the fly dynamically as copiers, and other devices, were not static in status, as needed, and wherein the web page was stored in memory (or output buffer) and produced on command by HTTP commands by a processor (CPU withinin the computer) performing web server functions such as found with APACHE for UNIX based systems of col. 1 (line 42) such as obtaining information pertaining to the copier from device-specific hardware such as the printer/scanner drivers after receiving the HTTP command and recognizing a first URL contained therein to generate a dynamically created formatted web page in HTML as covered in col. 1 (line 54) format including more URLs of col. 8 (line 1) to other pages (internal or external (i.e., on the Internet) to the copier) know as clickable links, text (i.e., help manuals (in UNIX such were called MAN pages (MAN=Manual)), images (jpg), tables (tbl), multimedia (moving image/video/sounds/.avi) (i.e., a normal/conventional Web Page), dynamically changing copier status information and updated MAN pages all executed within a computer environment both in the copier and browser software. The web page was sent from the

copier to a URL (examiner assumes IP address) of the user's Browser which was the same URL (IP address) as the user's computer.

24. Per claims 63-156, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, personal computers were known to have such devices thereto attached as a peripheral device, or incorporated within the computer box, such as disk drives, video and audio (i.e., plug board cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc..), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices, either has hardware or software. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network). Also, for example, col. 8 (lines 1-4) covered assigning a URL, col. 6 (line 24) covered HTTP command(s) using the URL, while col. 2 (line 10) covered HTML which taught a Web Server environment.

25. Claims 33-156 are rejected under 35 U.S.C. 102 (e) as being anticipated by Wolff (United States Patent 6,209,048 B1).

26. Per claim 33, Wolff taught a method for providing a web page interface for a device that was a copier (e.g., see col. 9 (line 20)), comprising;
a) receiving an HTTP command (e.g., see col. 5 (line 17)) sent from a web browser (e.g., see figure 2 (204)) via a first communication path (i.e., HTTP GET command from Browser to port 80 of the copier was along a first communication path), through a network (i.e., Internet) interface in the copier (e.g., see figure 2 (203));
b) recognizing a first URL (e.g., see col. 4 (line 51)) contained in the HTTP command as corresponding with the copier (e.g., see col. 4 (line 50-et seq.));
c) generating, with a web server embedded in the copier (e.g., see figure 2 (202)), a web page that enables control functions for the copier to be initiated from the web browser (e.g., see figure 4A and/or figure 4B));
d) determining a second URL (examiner assumes IP address associated with or) corresponding with the web browser (e.g., see col. 5 (line 6-et seq.)); and,
e) transferring the web page to the second URL (examiner assumes browser IP address) from the copier via a second communication path (i.e., the web page from the copier was so sent over a path different then that to set up a link with the GET command since Web Protocol was not a "persistent connection" also the Internet was a "packet switch" network not a "circuit switch" network and thus data packets to/fro seldom followed the same path) so that the web page can be rendered by the web browser (e.g., see col. 6 (line 17-et seq.)).

27. Per claims 34-62, in a clustered lump sum, it was suggestive (in order for the applied reference to work), the web page of figure 4A and/or figure 4B would have defined control

buttons (i.e., simulated the real knobs and buttons on the face of the device per col. 6 (line 35)) that enabled the control function of the copier, where the HTTP commands were used to obtain dynamically changing information from the copier, such as toner/ink/paper levels (i.e., the normal output indictors (LEDS/sounds/exc..) of a copier was simulated in the returned page) and other such status information from the copier for information transfer to/from the copier so as to control (col. 6 (line 35) the functions of the copier functions such as operating states via a control/monitor path. As indicated, the web page was transferred to the web browser of figure 2 (204) using HTTP of col. 5 (line 17) which needed periodical updating of information for the web page to correspond to current copier status (i.e., toner/paper/on-line/off-line/exc.. level) on the fly dynamically as copiers, and other devices, were not static in status (paper levels lower over time), as needed, and wherein the web page was stored in memory (or output buffer) and produced on command by HTTP commands by a processor in the peripheral computer of figure 2 (200) performing web server functions of figure 2 (202) such as obtaining information pertaining to the copier from device-specific hardware after receiving the HTTP command and recognizing a first URL contained therein to generate a dynamically created formatted web page in HTML format per col. 5 (line 20) including more URLs to other pages (internal or external (i.e., on the Internet) to the copier), text (i.e., help manuals (in UNIX such were called MAN pages (MAN=Manual)), images, tables, multimedia (moving image/video/sounds) (i.e., a normal/conventional Web Page), dynamically changing copier status information and updated MAN pages all executed within a computer environment both in the copier and browser software. The web page was sent from the copier to a URL (examiner assumes IP address) of the user's Browser which was the same URL (IP address) as the user's computer.

28. Per claims 63-156, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, col. 5 (line 58), col. 6 (line 29 "all peripherals"), and col. 9 (line 15-et seq.), taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network). Also, for example, col. 4 (line 51-et seq.) covered assigning a URL, col. 5 (lines 60-63) covered HTTP command(s) using the URL, while col. 1 (line 20) covered HTML which taught a Web Server environment.

29. Claims 33-156 are rejected under 35 U.S.C. 102 (e) as being anticipated by Gosling (United States Patent 6,618,754 B1).

30. Per claim 33, Gosling taught a method for providing a web page interface for a device that was a copier (i.e., per figure 1 (110c) and col. 4 (line 3-et seq.)), comprising;

a) receiving an HTTP command sent from a web browser via a first communication path (i.e., HTTP GET command from Browser to port 80 was along a first communication path), through a network (i.e., Internet) interface in the copier (e.g., see col. 7 (50-et seq.));

b) recognizing a first URL contained in the HTTP command as corresponding with the copier (e.g., see col. 7 (line 53));

c) generating, with a web server embedded in the copier, a web page that enables control functions for the copier to be initiated from the web browser (e.g., see col. 7 (line 24-et seq.));

d) determining a second URL (examiner assumes IP address associated with or) corresponding with the web browser (e.g., see col. 6 (line 15-et seq.)); and,

e) transferring the web page to the second URL (examiner assumes browser IP address) from the copier via a second communication path (i.e., the web page from the copier was so sent over a path different then that to set up a link with the GET command since Web Protocol was not a "persistent connection" also the Internet was a "packet switch" network not a "circuit switch" network and thus data packets to/fro seldom followed the same path) so that the web page can be rendered by the web browser (e.g., see col. 8 (line 37-et seq.))

31. Per claims 34-62, in a clustered lump sum, it was suggestive (in order for the applied reference to work), the web page would have defined control buttons (i.e., simulated the real knobs and buttons on the face of the device) that enabled the control function of the copier, where the HTTP commands of col. 7 (line 51-et seq.) were used to obtain information from the copier, such as toner/paper levels (i.e., the normal output indictors (LEDS/sounds/exc..) of a copier was simulated in the returned page) and other such status information from the copier for information transfer to/from the copier so as to control the functions of the copier functions such as operating states via a control/monitor path. As indicated, the web page (i.e., "compound documents" "flat files" "code fragments" of col. 7 (line 24-et seq.)) was transferred to the web browser such as in figure 6 using HTTP which needed periodical updating of information for the web page to correspond to current copier status (i.e., toner/paper/on-line/off-line/exc.. level) on the fly dynamically as copiers, and other devices, were not static in status, as needed, and wherein the web page was stored in memory (or output buffer) and produced on command by HTTP commands by a processor performing web server functions such as obtaining information pertaining to the copier from device-specific hardware after receiving the HTTP command and recognizing a first URL as covered in col. 12 (line 16) contained therein to generate a dynamically created formatted web page in HTML format including more URLs to other pages (internal or external (i.e., on the Internet) to the copier), text (i.e., help manuals (in UNIX such were called MAN pages (MAN=Manual)), images, tables, multimedia (moving image/video/sounds) (i.e., a normal/conventional Web Page), dynamically changing copier status information and updated MAN pages all executed within a computer environment both in the copier and browser softwares. The web page was sent from the copier to a URL (examiner assumes IP address) of the user's Browser which was the same URL (IP address) as the user's computer. While two embodiments were covered between figure 1 and figure 6, the mention of Web functions in col. 7 (line 24-et seq.) incorporated Web control of the type as covered in figure 6.

32. Per claims 63-156, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, figure 1 (110c) taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc..), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other claimed devices pr home computer built and programmed to control internal or external devices of the type of devices claimed. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer via the remote control device. That is to say, it was known to construct (via hardware and/or software) a personal computer (for 110c) to be an oscilloscope, or to control a washing machine ('smart home') or to access a device via its remote control unit (i.e., the remote control unit was connected to a network) or that the device type claimed be that of 110(c) in figure 1. Also, for example, col. 8 (lines 1-4) covered assigning a URL, col. 7 (line 53 "WWW hyperlink) covered HTTP type command(s) using the URL, while col. 7 (line 66) covered HTML which taught a Web Server environment as an example. That is, the system of figure 1, like figure 6, functioned using Web Server functions including URL, HTTP, HTML, Web Pages, and the like normal to Internet port 80.

33. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this office action:

a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

34. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103, examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligations under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. 102 (f) or (g) prior art under 35 U.S.C. 103.

35. *Claims 33-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huntsman (United States Patent 5,801,689).*

36. That which was anticipated was obvious. However, while the specific computer device type was not so clearly indicated (i.e., fax, washing machine, television, exc..), personal computers were known to have there attached as a peripheral device, or incorporated within the computer

box, disk drives, video and audio (i.e., cards inserted into the mother board) to receive television broadcasts, home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc..), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other computer controlled devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer covered by Huntsman. Furthermore, it would have been obvious to those skilled in the art to implement the generalized computer remote control covered by Huntsman to any specific device containing a computer system or remote control device having the basic computer functions to control the claimed devices.

37. Per claim 33, Huntsman taught a method for providing a web page interface for a device that was a copier (i.e., general computers of the type covered in figure 3 and col. 1 (line 26-et seq.) had connected there to printers and scanners thus in combination once scanned a printed a copier in the broadest reasonable interpretation), comprising;
a) receiving an HTTP (e.., see col. 6 (line 24)) command sent from a web browser (e.g., see figure 3 ((27) and/or figure 4 (27)) via a first communication path (i.e., HTTP GET command from Browser to port 80 was along a first communication path), through a network (i.e., Internet as covered in figure 4 (31) and figure 3 (31)) interface in the copier (i.e., the first "controlled" computer);
b) recognizing a first URL contained in the HTTP command as corresponding with the copier e.g., see col. 8 (line 1));
c) generating, with a web server embedded in the copier, a web page that enables control functions for the copier to be initiated from the web browser (e.g., see figure 9 and/or figure 10);
d) determining a second URL (examiner assumes IP address associated with or) corresponding with the web browser (e.g., see col. 9 (line 12-et seq.)); and,
e) transferring the web page to the second URL (examiner assumes browser IP address) from the copier via a second communication path (i.e., the web page from the copier was so sent over a path different then that to set up a link with the GET command since Web Protocol was not a "persistent connection" also the Internet was a "packet switch" network not a "circuit switch" network and thus data packets to/fro seldom followed the same path) so that the web page can be rendered by the web browser (e.g., see col. 9 (line 12-et seq.)).

38. Per claims 34-62, in a clustered lump sum, it was suggestive (in order for the applied reference to work), the web page of figure 9 and/or figure 10 would have defined control buttons (i.e., simulated the real knobs and buttons on the face of the device) that enabled the control function of the first "controlled" computer having therewith a scanner and printer to permit for copier functions, where the HTTP commands of col. 6 (line 24) were used to obtain information from the copier, such as toner/ink/paper levels (i.e., the normal output indictors (LEDS/sounds/exc..) of the copier was simulated in the returned page) and other such status information from the copier for information transfer to/from the copier so as to control the functions of the copier functions such as operating states via a control/monitor path. As indicated in col. 9 (line 12-et seq.), the web page of figure 9 and/or figure 10 was transferred to the web browser of figure 3 (27) and/or figure 4 (27) using HTTP which needed periodical updating of information for the web page to correspond to current copier status (i.e.,

toner/paper/on-line/off-line/exc.. level) on the fly dynamically as copiers, and other devices, were not static in status, as needed, and wherein the web page was stored in memory (or output buffer) and produced on command by HTTP commands by a processor (CPU within in the computer) performing web server functions such as found with APACHE for UNIX based systems of col. 1 (line 42) such as obtaining information pertaining to the copier from device-specific hardware such as the printer/scanner drivers after receiving the HTTP command and recognizing a first URL contained therein to generate a dynamically created formatted web page in HTML as covered in col. 1 (line 54) format including more URLs of col. 8 (line 1) to other pages (internal or external (i.e., on the Internet) to the copier) know as clickable links, text (i.e., help manuals (in UNIX such were called MAN pages (MAN=Manual)), images (jpg), tables (tbl), multimedia (moving image/video/sounds/.avi) (i.e., a normal/conventional Web Page), dynamically changing copier status information and updated MAN pages all executed within a computer environment both in the copier and browser software. The web page was sent from the copier to a URL (examiner assumes IP address) of the user's Browser which was the same URL (IP address) as the user's computer.

39. Per claims 63-156, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, personal computers were known to have such devices thereto attached as a peripheral device, or incorporated within the computer box, such as disk drives, video and audio (i.e., plug board cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc..), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices, either has hardware or software. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network). Also, for example, col. 8 (lines 1-4) covered assigning a URL, col. 6 (line 24) covered HTTP command(s) using the URL, while col. 2 (line 10) covered HTML which taught a Web Server environment.

40. Claims 33-156 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Wolff (United States Patent 6,209,048 B1).

41. That which was anticipated was obvious. However, col. 5 (line 58), col. 6 (line 29 "all peripherals"), and col. 9 (line 15-et seq.), taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc..), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. Furthermore, it would have been obvious to those skilled in the art to implement the generalized computer remote control covered

by Wolff to any specific device containing a computer system or remote control device having the basic computer functions to control the claimed devices.

42. Per claim 33, Wolff taught a method for providing a web page interface for a device that was a copier (e.g., see col. 9 (line 20)), comprising;

a) receiving an HTTP command (e.g., see col. 5 (line 17)) sent from a web browser (e.g., see figure 2 (204)) via a first communication path (i.e., HTTP GET command from Browser to port 80 of the copier was along a first communication path), through a network (i.e., Internet) interface in the copier (e.g., see figure 2 (203));

b) recognizing a first URL (e.g., see col. 4 (line 51)) contained in the HTTP command as corresponding with the copier (e.g., see col. 4 (line 50-et seq.));

c) generating, with a web server embedded in the copier (e.g., see figure 2 (202)), a web page that enables control functions for the copier to be initiated from the web browser (e.g., see figure 4A and/or figure 4B));

d) determining a second URL (examiner assumes IP address associated with or) corresponding with the web browser (e.g., see col. 5 (line 6-et seq.)); and,

e) transferring the web page to the second URL (examiner assumes browser IP address) from the copier via a second communication path (i.e., the web page from the copier was so sent over a path different then that to set up a link with the GET command since Web Protocol was not a "persistent connection" also the Internet was a "packet switch" network not a "circuit switch" network and thus data packets to/fro seldom followed the same path) so that the web page can be rendered by the web browser (e.g., see col. 6 (line 17-et seq.)).

43. Per claims 34-62, in a clustered lump sum, it was suggestive (in order for the applied reference to work), the web page of figure 4A and/or figure 4B would have defined control buttons (i.e., simulated the real knobs and buttons on the face of the device per col. 6 (line 35)) that enabled the control function of the copier, where the HTTP commands were used to obtain dynamically changing information from the copier, such as toner/ink/paper levels (i.e., the normal output indictors (LEDS/sounds/exc..) of a copier was simulated in the returned page) and other such status information from the copier for information transfer to/from the copier so as to control (col. 6 (line 35) the functions of the copier functions, such as operating states via a control/monitor path. As indicated, the web page was transferred to the web browser of figure 2 (204) using HTTP of col. 5 (line 17) which needed periodical updating of information for the web page to correspond to current copier status (i.e., toner/paper/on-line/off-line/exc.. level) on the fly dynamically as copiers, and other devices, were not static in status (paper levels lower over time), as needed, and wherein the web page was stored in memory (or output buffer) and produced on command by HTTP commands by a processor in the peripheral computer of figure 2 (200) performing web server functions of figure 2 (202) such as obtaining information pertaining to the copier from device-specific hardware after receiving the HTTP command and recognizing a first URL contained therein to generate a dynamically created formatted web page in HTML format per col. 5 (line 20) including more URLs to other pages (internal or external (i.e., on the Internet) to the copier), text (i.e., help manuals (in UNIX such were called MAN pages (MAN=Manual)), images, tables, multimedia (moving image/video/sounds) (i.e., a normal/conventional Web Page), dynamically changing copier status information and updated

MAN pages all executed within a computer environment both in the copier and browser software. The web page was sent from the copier to a URL (examiner assumes IP address) of the user's Browser which was the same URL (IP address) as the user's computer.

44. Per claims 63-156, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, col. 5 (line 58), col. 6 (line 29 "all peripherals"), and col. 9 (line 15-et seq.), taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network).

45. Claims 33-156 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Gosling (United States Patent 6,618,754 B1).

46. That which was anticipated was obvious. However, figure 1 (110c) taught any generalized device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines), and also factory or lab equipments such as oscilloscope (the home entertainment vide game PONG was originally designed on an oscilloscope) and/or spectrum analyzer, or other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer via the remote control device and thus adding such to the claimed devices would have been obvious to those skilled in the art because figure 1 (110c) suggested any computerized controlled device.

47. Per claim 33, Gosling taught a method for providing a web page interface for a device that was a copier (i.e., per figure 1 (110c) and col. 4 (line 3-et seq.)), comprising;
a) receiving an HTTP command sent from a web browser via a first communication path (i.e., HTTP GET command from Browser to port 80 was along a first communication path), through a network (i.e., Internet) interface in the copier (e.g., see col. 7 (50-et seq.));
b) recognizing a first URL contained in the HTTP command as corresponding with the copier (e.g., see col. 7 (line 53));
c) generating, with a web server embedded in the copier, a web page that enables control functions for the copier to be initiated from the web browser (e.g., see col. 7 (line 24-et seq.));
d) determining a second URL (examiner assumes IP address associated with or) corresponding with the web browser (e.g., see col. 6 (line 15-et seq.)); and,

e) transferring the web page to the second URL (examiner assumes browser IP address) from the copier via a second communication path (i.e., the web page from the copier was so sent over a path different then that to set up a link with the GET command since Web Protocol was not a "persistent connection" also the Internet was a "packet switch" network not a "circuit switch" network and thus data packets to/fro seldom followed the same path) so that the web page can be rendered by the web browser (e.g., see col. 8 (line 37-et seq.))

48. Per claims 34-62, in a clustered lump sum, it was suggestive (in order for the applied reference to work), the web page would have defined control buttons (i.e., simulated the real knobs and buttons on the face of the device) that enabled the control function of the copier, where the HTTP commands of col. 7 (line 51-et seq.) were used to obtain information from the copier, such as toner/paper levels (i.e., the normal output indictors (LEDS/sounds/exc..) of a copier was simulated in the returned page) and other such status information from the copier for information transfer to/from the copier so as to control the functions of the copier functions such as operating states via a control/monitor path. As indicated, the web page (i.e., "compound documents" "flat files" "code fragments" of col. 7 (line 24-et seq.)) was transferred to the web browser such as in figure 6 using HTTP which needed periodical updating of information for the web page to correspond to current copier status (i.e., toner/paper/on-line/off-line/exc.. level) on the fly dynamically as copiers, and other devices, were not static in status, as needed, and wherein the web page was stored in memory (or output buffer) and produced on command by HTTP commands by a processor performing web server functions such as obtaining information pertaining to the copier from device-specific hardware after receiving the HTTP command and recognizing a first URL as covered in col. 12 (line 16) contained therein to generate a dynamically created formatted web page in HTML format including more URLs to other pages (internal or external (i.e., on the Internet) to the copier), text (i.e., help manuals (in UNIX such were called MAN pages (MAN=Manual)), images, tables, multimedia (moving image/video/sounds) (i.e., a normal/conventional Web Page), dynamically changing copier status information and updated MAN pages all executed within a computer environment both in the copier and browser software. The web page was sent from the copier to a URL (examiner assumes IP address) of the user's Browser which was the same URL (IP address) as the user's computer. While two embodiments were covered between figure 1 and figure 6, the mention of Web functions in col. 7 (line 24-et seq.) incorporated Web control of the type as covered in figure 6.

49. Per claims 33-36 and 45-156, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, figure 1 (110c) taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc..), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other claimed devices pr home computer built and programmed to control internal or external devices of the type of devices claimed. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a

general computer via the remote control device. That is to say, it was known to construct (via hardware and/or software) a personal computer (for 110c) to be an oscilloscope, or to control a washing machine ('smart home') or to access a device via its remote control unit (i.e., the remote control unit was connected to a network) or that the device type claimed be that of 110(c) in figure 1. Also, for example, col. 8 (lines 1-4) covered assigning a URL, col. 7 (line 53 "WWW hyperlink) covered HTTP type command(s) using the URL, while col. 7 (line 66) covered HTML which taught a Web Server environment as an example. That is, the system of figure 1, like figure 6, functioned using Web Server functions including URL, HTTP, HTML, Web Pages, and the like normal to Internet port 80.

_50._ _Claims 33-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over any combination of the applied references given above for the reasons given above and below._

51. More specifically claims 33-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huntsman (United States Patent 5,801,689) in view of Wolff (United States Patent 6,209,048 B1); or, Huntsman (United States Patent 5,801,689) in view of Gosling (United States Patent 6,618,754 B1); or, Huntsman (United States Patent 5,801,689) in view of Wolff (United States Patent 6,209,048 B1) and further in view of Gosling (United States Patent 6,618,754 B1); or, Huntsman (United States Patent 5,801,689) in view of Gosling (United States Patent 6,618,754 B1) and further in view of Wolff (United States Patent 6,209,048 B1). OR, Wolff (United States Patent 6,209,048 B1) in view of Huntsman (United States Patent 5,801,689); or, Wolff (United States Patent 6,209,048 B1) in view of Gosling (United States Patent 6,618,754 B1); or, Wolff (United States Patent 6,209,048 B1) in view of Huntsman (United States Patent 5,801,689) and further in view of Gosling (United States Patent 6,618,754 B1); or, Wolff (United States Patent 6,209,048 B1) in view of Gosling (United States Patent 6,618,754 B1) and further in view of Huntsman (United States Patent 5,801,689); OR Gosling (United States Patent 6,618,754 B1) in view of Huntsman (United States Patent 5,801,689);or, Gosling (United States Patent 6,618,754 B1) in view of Wolff (United States Patent 6,209,048 B1); or, Gosling (United States Patent 6,618,754 B1) in view of Huntsman (United States Patent 5,801,689) and further in view of Wolff (United States Patent 6,209,048 B1); or, Gosling (United States Patent 6,618,754 B1) in view of Wolff (United States Patent 6,209,048 B1) and further in view of Huntsman (United States Patent 5,801,689) for the all reasons set forth above. The grounds being addressed herein and incorporated hereto. It would have been obvious to combine these, in the manner so indicated, since they each were directed to remotely controlling a generalized device that included an embedded web server that generated web pages to be issued to a user via HTML and HTTP with URLs such as to enable control functions of the generalized device. In essence, it would have been obvious to have an embedded web server, in a device, to generate web pages for HTML/HTTP presentation to a user who enabled control functions, via a Web Browser (locality of Browser has not been defined in the claims), that returned control function commands back to a remote controller for controlling the device.

52. Per all of the above, it was known to provide a Web based user interface to a device rather than, or in addition to, the conventional buttons and knobs as found on such devices. For example, and not limiting the claims hereto, a washing machine with a screen (touch sensitive or

not, local on the machine or not (i.e., some other location in or out of a home)) that provided user interaction with the machine to control the machine via Web based menus on the screen; or, navigating to/through a television via Web menus; or, a vcr; or, dvd player/recorder; or, cd player/recorder, and the like where the screen was the browser (local or remote from the machine). That is, to control any device, it was known to embed the required hardware and/or software into the device, such as a Web Server, such that the device could be controlled via Web Pages or Menus/Screens/Windows.

53.   In review, embedding a Web Server, having Web Pages using HTTP/HTML/URL/exc..., into any known device was either taught and/or was obvious to those skilled in the art.

54. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the data of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

55. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 2156-3895. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

56. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T. Caldwell, can be reached on (571) 2156-3868. The fax phone number for all papers is (703) 8156-9306.

57. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

ROBERT B. HARRELL
PRIMARY EXAMINER
GROUP 2142